

CLOSED,ACO,TransferredOutCase-DoNotDocket

**U.S. District Court
Eastern District of New York (Central Islip)
CIVIL DOCKET FOR CASE #: 2:15-cv-02909-JBW-RML**

Armstrong v. Costco Wholesale Corporation et al
Assigned to: Judge Jack B. Weinstein
Referred to: Magistrate Judge Robert M. Levy
Cause: 28:1332 Diversity-Fraud

Date Filed: 05/19/2015
Date Terminated: 04/10/2017
Jury Demand: Plaintiff
Nature of Suit: 370 Fraud or Truth-In-Lending
Jurisdiction: Diversity

Plaintiff

Desmond R. Armstrong
*Individually and on Behalf of All Others
Similarly Situated*

represented by **Mark S. Reich**
Robbins Geller Rudman & Dowd, LLP
58 South Service Road
Suite 200
Melville, NY 11747
302-295-5310
Fax: 302-654-7530
Email: mreich@csgrr.com
ATTORNEY TO BE NOTICED

V.

Defendant

Costco Wholesale Corporation

represented by **James M. Bergin**
Morrison & Foerster
250 West 55th Street
New York, NY 10019
212-468-8000
Fax: 212-468-7900
Email: jbergin@mofo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Nice-Pak Products, Inc.

represented by **James M. Bergin**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Interested Party

Anthony Belfiore

Interested Party

The Procter & Gamble Company

Interested Party

CVS Pharmacy, Inc.

represented by

James M. Bergin
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Interested Party

Eugene and Victoria Richard

Interested Party

D. Joseph Kurtz

represented by **Mark S. Reich**
 Robbins Geller Rudman & Dowd, LLP
 58 South Service Road
 Suite 200
 Melville, NY 11747
 302-295-5310
 Fax: 302-654-7530
 Email: mreich@rgrdlaw.com
ATTORNEY TO BE NOTICED

Interested Party

Kimberly-Clark Corporation

represented by **Eamon Paul Joyce**
 Sidley Austin LLP
 787 Seventh Ave
 New York, NY 10019
 212-839-8555
 Fax: 212-839-5599
 Email: ejoyce@sidley.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Interested Party

Wal-Mart Stores, Inc.

Date Filed	#	Docket Text
05/19/2015	<u>1</u>	COMPLAINT against All Defendants filing fee \$ 400, receipt number 0207-7753775, filed by Desmond R Armstrong. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons) (Reich, Mark) (Entered: 05/19/2015)
05/21/2015	<u>2</u>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made. (Kramer, Michael) (Entered: 05/21/2015)
05/21/2015	<u>1</u>	Case Assigned to Judge Joan M. Azrack and Magistrate Judge Gary R. Brown. (Kramer, Michael) (Entered: 05/21/2015)
05/21/2015	<u>3</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold

		your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Kramer, Michael) (Entered: 05/21/2015)
05/22/2015	<u>14</u>	Summons Issued as to Costco Wholesale Corporation and Nice-Pak Products, Inc.. (Ortiz, Grisel) (Entered: 05/22/2015)
05/28/2015	<u>1</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Jack B. Weinstein and Magistrate Judge Robert M. Levy as related to 14cv1142 for all further proceedings. Judge Joan M. Azrack, Magistrate Judge Gary R. Brown no longer assigned to case. Ordered by Chief Judge Carol Bagley Amon on 5/28/2015. (Bowens, Priscilla) (Entered: 05/28/2015)
05/29/2015	<u>15</u>	ORDER REFERRING to the Magistrate Judge (136 in 1:14-cv-01142-JBW-RML), (97 in 2:14-cv-04090-JBW-RML) request[s] to reschedule the 6/9/2015 hearing on the technology underlying "flushable wipes." The magistrate judge shall consult with case coordinator June Lowe to set the earliest date practicable. On the date and time so set, counsel in the above captioned latter three cases (15-cv-2909, 15-cv-2910, 15-cv-2928) shall appear to discuss with the court the administration of their cases. Argument on the motions for class certification in 14-cv-1142 and 14-cv-4090 is set for July 13, 2015. The magistrate judge shall arrange to adjourn that hearing, if necessary, to the earliest date practicable, taking into account any rescheduling of the hearing currently set for June 9, 2015. Ordered by Judge Jack B. Weinstein on 5/28/2015. (Barrett, C) (Entered: 05/29/2015)
05/29/2015	<u>16</u>	ORDER REFERRING to the Magistrate Judge for expeditious decision (140 in 1:14-cv-01142-JBW-RML) the request in the letter dated May 22, 2015 in 14-cv-1142. Ordered by Judge Jack B. Weinstein on 5/28/2015. (Barrett, C) (Entered: 05/29/2015)
05/29/2015	<u>17</u>	ORDER. Any motions or communications filed in any of the actions captioned herein shall be filed in each of the actions. Ordered by Judge Jack B. Weinstein on 5/28/2015. (Barrett, C) Modified on 5/29/2015 (Barrett, C). (Entered: 05/29/2015)
05/29/2015	<u>18</u>	Joint MOTION for Extension of Time to File ; <i>Stipulation and [Proposed] Order Extending Time to Respond to the Complaint</i> by Costco Wholesale Corporation, Nice-Pak Products, Inc.. (Bergin, James) (Entered: 05/29/2015)
06/03/2015	<u>1</u>	ORDER granting <u>8</u> Motion for Extension of Time to 7/8/15 for Defendants to File Answer or Move to Dismiss. Ordered by Magistrate Judge Robert M. Levy on 6/3/2015. (Levy, Robert) (Entered: 06/03/2015)
06/17/2015	<u>19</u>	Letter by Anthony Belfiore (Levy, Lester) (Entered: 06/17/2015)
06/22/2015	<u>10</u>	NOTICE by The Procter & Gamble Company of <i>Filing of Exhibits 26A – 26I</i> (Attachments: # <u>1</u> Exhibit 26 – INDA Guidelines) (Schau, Andrew) (Entered: 06/22/2015)
06/23/2015	<u>11</u>	Letter <i>regarding Science Day PowerPoint Presentation</i> by The Procter & Gamble Company (Schau, Andrew) (Entered: 06/23/2015)
06/23/2015	<u>19</u>	Letter <i>to The Honorable Jack B. Weinstein enclosing an electronic copy of Science Day Exhibit 9</i> by Kimberly-Clark Corporation. [Enclosure by U.S. Mail.] (Barrett, C) (Entered: 07/09/2015)
06/24/2015	<u>13</u>	Letter <i>re Science Day Exhibit 4</i> by Anthony Belfiore. (Barrett, C) (Entered: 06/29/2015)
06/29/2015	<u>12</u>	News Article: "Manufacturer agrees to stop using 'flushable' claim for wipes that utilities say clog sewer systems," The Washington Post, June 23 2015 . (Barrett, C) (Entered: 06/29/2015)
06/30/2015	<u>14</u>	ENDORSED ORDER. The attached computer material [an electronic copy of the PowerPoint presentation shown by The Procter & Gamble Company ("P&G") at the June 19, 2015 Science Day hearing] should be made available as requested by any person. Related document: Letter filed by P&G (110 in 2:14-cv-04090-JBW-RML), (13 in 2:15-cv- 02928-JBW- RML), (152 in

		1:14-cv-01142-JBW-RML), (12 in 2:15-cv-02910-JBW-RML), (11 in 2:15-cv-02909-JBW-RML). Ordered by Judge Jack B. Weinstein on 6/24/2015. Note: the electronic copy of P&G's PowerPoint presentation, attached to the hard copy of this order, is not available via ECF. (Barrett, C) (Entered: 07/01/2015)
06/30/2015	<u>15</u>	Science Day EXHIBIT 4 [a disc containing the video shown by Plaintiff Anthony Belfiore (2:14-cv-04090-JBW-RML) during the June 19, 2015, Science Day hearing] by Anthony Belfiore. Related document: Letter filed by Anthony Belfiore (153 in 1:14-cv-01142-JBW-RML), (14 in 2:15-cv-02910-JBW-RML), (13 in 2:15-cv-02909-JBW-RML), (15 in 2:15-cv-02928-JBW-RML), (111 in 2:14-cv-04090-JBW-RML). (Attachments: # <u>1</u> Cover Letter to Judges Weinstein and Levy) Note: the disc containing video shown by Plaintiff Anthony Belfiore is not available via ECF. (Barrett, C) (Entered: 07/01/2015)
07/02/2015	<u>16</u>	Joint MOTION for Extension of Time to File ; <i>Stipulation and [Proposed] Order Extending Time to Respond to Complaint in Case no. 15cv2928</i> by Nice-Pak Products, Inc.. (Bergin, James) (Entered: 07/02/2015)
07/08/2015	<u>17</u>	ANSWER to <u>1</u> Complaint by Nice-Pak Products, Inc.. (Bergin, James) (Entered: 07/08/2015)
07/08/2015	<u>18</u>	ANSWER to <u>1</u> Complaint by Costco Wholesale Corporation. (Bergin, James) (Entered: 07/08/2015)
07/09/2015	<u>20</u>	ENDORSED ORDER re letter dated 6/23/2015 filed by Kimberly-Clark Corporation ("Kimberly-Clark") enclosing an electronic copy of Science Day EXHIBIT 9. F&D (file and docket) with attached thumb drive [containing an electronic copy of Kimberly-Clark's PowerPoint presentation from the June 19, 2015 Science Day hearing]. Related document: Letter filed by Kimberly-Clark (19 in 2:15-cv-02909-JBW-RML), (18 in 2:15-cv-02910-JBW-RML), (19 in 2:15-cv-02928-JBW-RML), (116 in 2:14-cv-04090-JBW-RML), (151 in 1:14-cv-01142-JBW-RML). Ordered by Judge Jack B. Weinstein on 6/30/2015. Note: the electronic copy of Kimberly-Clark's PowerPoint presentation, attached to the hard copy of this order, is not available via ECF. (Barrett, C) (Entered: 07/09/2015)
07/09/2015	<u>1</u>	ORDER granting <u>16</u> Stipulation and [Proposed] Order Extending Time to Respond to Complaint by Nice-Pak Products, Inc.. Ordered by Magistrate Judge Robert M. Levy on 7/9/2015. (Marino, Janine) (Entered: 07/09/2015)
07/16/2015	<u>21</u>	SCHEDULING ORDER. The hearing in 14-CV-1142 and 14-CV-4090, originally scheduled for July 21, 2015 at 10:30 a.m., is rescheduled to commence at <u>9:30 a.m.</u> Ordered by Judge Jack B. Weinstein on 7/14/2015. (Hearing set for 7/21/2015 at <u>09:30 AM</u> in Courtroom 10B South before Judge Jack B. Weinstein.) Ordered by Judge Jack B. Weinstein on 7/14/2015. (Barrett, C) (Entered: 07/16/2015)
07/30/2015	<u>22</u>	SCHEDULING ORDER. Oral argument on class certification in 14-cv-1142 is adjourned to September 11, 2015 at 10:00 a.m. Oral argument on class certification in 14-cv-4090 will proceed as scheduled, on August 12, 2015 at 10:30 a.m. Ordered by Judge Jack B. Weinstein on 7/30/2015. (Barrett, C) Modified on 9/10/2015 (Barrett, C). (Entered: 07/30/2015)
08/04/2015	<u>23</u>	Joint MOTION for Extension of Time to File ; <i>Stipulation and [Proposed] Order Extending Time to Respond to the Complaint in Case No. 15cv2928</i> by Nice-Pak Products, Inc., CVS Pharmacy, Inc.. (Bergin, James) (Entered: 08/04/2015)
08/13/2015	<u>1</u>	ORDER granting <u>23</u> Joint MOTION for an Extension of Time to Respond to the Complaint in the case of <i>Palmer, et al., -v- CVS Health, et al., 15 CV 2928 (JBW)(RML)</i> . Ordered by Magistrate Judge Robert M. Levy on 8/12/2015. (Marino, Janine) (Entered: 08/13/2015)
08/31/2015	<u>24</u>	

		ORDER docketed in 15-cv-2909, 15-cv-2910, 15-cv-2928 for the reference of the parties. By September 9, 2015 at 10 a.m., the parties in 14-cv-4090 shall file and docket supplemental briefing on the following questions: Can the court invoke the primary jurisdiction doctrine to stay decision on the certification of an injunctive class and to refer the issue to the Federal Trade Commission? Should the court so proceed? The parties in 14-cv-1142, shall be prepared to discuss these questions, as applied to 14-cv-1142, at their argument on class certification. Ordered by Judge Jack B. Weinstein on 8/31/2015. (Barrett, C) (Entered: 09/01/2015)
09/03/2015	<u>İ 25</u>	Letter MOTION to Adjourn Conference <i>currently scheduled for September 11, 2015 for the parties' motions to grant or deny class certification be rescheduled to October 9, 2015</i> by Desmond R Armstrong. (Reich, Mark) (Entered: 09/03/2015)
09/10/2015	<u>İ 26</u>	ENDORSED ORDER granting <u>25</u> Motion to Adjourn Hearing on Class Certification (re <i>Kurtz v. Kimberly-Clark Corp., et al.</i> , 1:14-cv-01142 (JBW)(RML)). Set hearing for Oct. 9, 2015 at 10:00 a.m. (Motion Hearing set for 10/9/2015 at 10:00 AM in Courtroom 10B South before Judge Jack B. Weinstein.) Ordered by Judge Jack B. Weinstein on 9/9/2015. (Barrett, C) (Entered: 09/10/2015)
09/18/2015	<u>İ 27</u>	ORDER. Counsel in 14-cv-1142 and related cases shall promptly notify the court of any additional cases, filed in this court, involving "flushable" wipes. Counsel shall also advise the court 1) if they serve as counsel in any case filed in another court that involves "flushable" wipes; and 2) if their clients in 14-cv-1142 or related cases are parties to any case filed in another court that involves "flushable" wipes. Ordered by Judge Jack B. Weinstein on 9/17/2015. (Barrett, C) (Entered: 09/18/2015)
09/18/2015	<u>İ 28</u>	Letter <i>in response to the Court's September 18, 2015 Order</i> by Eugene and Victoria Richard (Reich, Mark) (Entered: 09/18/2015)
09/21/2015	<u>İ 29</u>	Letter <i>in Response to the Court's Order Dated September 17, 2015</i> by Costco Wholesale Corporation, Nice-Pak Products, Inc. (Bergin, James) (Entered: 09/21/2015)
10/05/2015	<u>İ 30</u>	MEMORANDUM & ORDER re <i>Belfiore v. Procter & Gamble Co.</i> , 14-CV-4090. Plaintiff's motion to certify the class and defendant's motion to deny class certification are stayed. Discovery is stayed. The issue of an appropriate definition of "flushable" and related issues are respectfully referred to the Federal Trade Commission. The Clerk of the Court is directed to serve three copies of this memorandum and order on the Secretary of the Federal Trade Commission. Ordered by Judge Jack B. Weinstein on 10/5/2015. (Barrett, C) (Entered: 10/05/2015)
10/05/2015	<u>İ 31</u>	ORDER TO SHOW CAUSE re <u>30</u> Memorandum & Order. On October 9, 2015 at 10 a.m. in Courtroom 10 B South, the parties in the above captioned case are ordered to show cause why the court should not stay this case and refer it to the Federal Trade Commission. Show Cause Hearing set for 10/9/2015 at 10:00 AM in Courtroom 10B South before Judge Jack B. Weinstein. Ordered by Judge Jack B. Weinstein on 10/5/2015. (Barrett, C) (Entered: 10/05/2015)
10/08/2015	<u>İ 32</u>	ORDER. On October 7, 2015, counsel for the parties in 14-CV-1142 telephoned my chambers with two questions. First, they asked whether the argument on class certification in 14-CV-1142, scheduled for October 9, 2015 at 10 a.m., will proceed. It will. Second, the parties asked whether counsel in 14-CV-1142, 15-CV-2909, 15-CV- 2910, 15-CV-2928 and 15-CV-4579 shall appear at the order to show cause hearing, also scheduled for October 9, 2015 at 10 a.m. Counsel are ordered to appear to show cause. Ordered by Judge Jack B. Weinstein on 10/8/2015. (Barrett, C) (Entered: 10/08/2015)
10/08/2015	<u>İ 33</u>	(AMENDED)ORDER TO SHOW CAUSE that parties are ordered to show cause as to why the Court should not similarly stay this case and refer it to the Federal Trade Commission. Show Cause Hearing set for 10/9/2015 at 10:00 AM in Courtroom 10B South before Judge Jack B. Weinstein. (Ordered by Judge Jack B. Weinstein on 10/8/2015) (Guzzi, Roseann) (Entered: 10/08/2015)

10/13/2015	<u>İ 34</u>	ORDER STAYING CASES 14-cv-1142, 15-cv-2909, 15-cv-2910, 15-cv-2928, and 15-cv-4579. On October 5, 2015, the court issued a memorandum and order in a related case, <i>Belfiore v. Procter & Gamble Co.</i> , 14-CV-4090, respectfully referring the case to the Federal Trade Commission. For the same reasons, these cases are stayed. The issue of an appropriate definition of "flushable" and related issues are respectfully referred to the Federal Trade Commission. The stays may be lifted by the court to avoid unnecessary delays or for any other reason. The Clerk of the Court is directed to send an electronic copy of the complete record in these cases to the Secretary of the Federal Trade Commission. No sealed records shall be transmitted without order of the court or magistrate judge. Ordered by Judge Jack B. Weinstein on 10/9/2015. (Barrett, C) (Entered: 10/13/2015)
10/13/2015	<u>İ 35</u>	NOTICE: Judge Weinstein's Scheduling Order dated 10/9/2015 has been filed in <i>Belfiore v. Procter & Gamble Co.</i> , 14-CV-4090, ECF. No. 153, which reads in substantial part: On October 9, 2015, the plaintiff [Anthony Belfiore] moved to reconsider the court's memorandum & order, issued on October 5, 2015. <i>See</i> Hr'g Tr., Oct. 9, 2015, 14-CV-1142. The motion for a rehearing is granted. The parties shall contact case manager June Lowe to set a date for the argument as soon as practicable. If the parties wish to submit briefs, they shall agree upon a briefing schedule. If the parties cannot agree, the magistrate judge is respectfully requested to set one. [Copy of Scheduling Order dated 10/9/2015 attached.] (Barrett, C) Modified on 10/27/2015 (Barrett, C). (Entered: 10/14/2015)
10/14/2015	<u>İ 36</u>	NOTICE: Judge Weinstein's Scheduling Order dated 10/13/2015 has been filed in <i>Belfiore v. Procter & Gamble Co.</i> , 14-CV-4090, ECF. No. 154, which sets argument on the Oral MOTION for Reconsideration filed by Anthony Belfiore re the Memorandum and Order dated 10/5/2015. Argument will be held on 10/21/2015 at 10:00 A.M. in Courtroom 10B South before Judge Jack B. Weinstein. At the hearing, the court will also discuss the management of 14-CV-4090 and related cases. Counsel in related cases are invited to attend. They may arrange to appear by telephone by contacting case coordinator June Lowe. [Copy of Scheduling Order dated 10/13/2015 attached.] (Barrett, C) Modified on 10/27/2015 (Barrett, C). (Entered: 10/14/2015)
10/14/2015	<u>İ 37</u>	Letter <i>Regarding the Filing of Papers Related to the Class Certification Motions filed in 14cv1142</i> by Costco Wholesale Corporation (Bergin, James) Modified on 10/15/2015 (Barrett, C). (Entered: 10/14/2015)
10/22/2015	<u>İ 38</u>	NOTICE: Judge Weinstein's Memorandum and Order on Motion for Reconsideration, dated 10/22/2015, has been filed in <i>Belfiore v. Procter & Gamble Co.</i> , 14-CV-4090, ECF. No. 160. For the reasons stated in the attached Memorandum and Order, as well as orally and on the record at the October 9 and October 21 hearings, plaintiff's [Anthony Belfiore] motion to reconsider the court's memorandum and order of October 5, 2015 is denied. As indicated at the October 21 hearing, the stay does not prevent the parties from attempting to reach an acceptable class settlement, while the FTC considers the matter. <i>Belfiore v. Procter & Gamble Co.</i> , as well as all related cases pending in this court (14-CV-1142, 15-CV-2909, 15-CV-2910, 15-CV-2928, 15-CV-4579) are respectfully referred to the magistrate judge for the purpose of settlement. (Barrett, C) Modified on 10/27/2015 (Barrett, C). (Entered: 10/22/2015)
10/23/2015	<u>İ</u>	STATUS REPORT ORDER. Counsel for each party shall submit a confidential status report to chambers by 11/6/15 explaining the status of settlement discussions and advising whether an in person settlement conference would be useful. Status Report due by 11/6/2015. Ordered by Magistrate Judge Robert M. Levy on 10/23/2015. (Levy, Robert) (Entered: 10/23/2015)
11/10/2015	<u>İ 39</u>	MOTION to Amend/Correct/Supplement <i>and to Lift the Court's October 9, 2015 Order Staying Cases and Referring Issues to the Federal Trade Commission</i> by D. Joseph Kurtz. (Attachments: # <u>1</u> Proposed Order) (Reich, Mark) (Entered: 11/10/2015)
11/10/2015	<u>İ 40</u>	MEMORANDUM in Support re <u>39</u> MOTION to Amend/Correct/Supplement <i>and to Lift the Court's October 9, 2015 Order Staying Cases and Referring Issues to the Federal Trade</i>

		<i>Commission</i> filed by D. Joseph Kurtz. (Reich, Mark) (Entered: 11/10/2015)
11/10/2015	<u>41</u>	AFFIDAVIT/DECLARATION in Support re <u>39</u> MOTION to Amend/Correct/Supplement <i>and to Lift the Court's October 9, 2015 Order Staying Cases and Referring Issues to the Federal Trade Commission</i> filed by D. Joseph Kurtz. (Attachments: # <u>1</u> Exhibit A–FTC's Final Decision and Order in the Matter of Nice–Pak Products, Inc., # <u>2</u> Exhibit B–FTC's Press Release issued on November 2, 2015, # <u>3</u> Exhibit C–Complaint issued by the FTC on October 30, 2015 against Nice–Pak products, # <u>4</u> Exhibit D–Excerpts from Hearing on October 9, 2015) (Reich, Mark) (Entered: 11/10/2015)
11/13/2015	<u>42</u>	NOTICE: Judge Weinstein's Scheduling Order dated 11/13/2015 has been filed in <i>Kurtz v. Kimberly–Clark Corporation et al.</i> , 14–cv–1142, ECF NO. 208. Plaintiff's [D. Joseph Kurtz] motion to lift the court's October 9, 2015 order staying that case and referring issues to the Federal Trade Commission will be heard on December 7, 2015 at 10:30 a.m. in Courtroom IOB South. Counsel in all related cases (14–CV–4090; 15–CV–2909; 15–CV–2910; 15–CV– 2928; 15–CV–4579) are also directed to appear at the December 7, 2015 hearing on plaintiff's motion. [Copy of Scheduling Order dated 11/13/2015 attached.] (Barrett, C) (Entered: 11/13/2015)
11/18/2015	<u>43</u>	Letter to Judge Weinstein and Magistrate Judge Levy regarding the Court's November 13, 2015 Scheduling Order directing the parties to agree on a briefing schedule on the motion to lift the Court's October 9, 2015 Order staying cases and referring issues to the Federal Trade Commission by D. Joseph Kurtz (Reich, Mark) (Entered: 11/18/2015)
11/18/2015	<u>44</u>	NOTICE: Judge Weinstein's Scheduling Order dated 11/16/2015 has been filed in <i>Kurtz v. Kimberly–Clark Corporation et al.</i> , 14–cv–1142, ECF No. 210. The hearing on plaintiff's [D. Joseph Kurtz] motion to lift the court's October 9, 2015 order staying that case and referring issues to the Federal Trade Commission is adjourned to December 7, 2015 at 2:00 p.m. in Courtroom 10B South. Since the cases may be affected by disposition of the <i>Kurtz</i> motion, counsel in all related cases (14–CV–4090; 15–CV–2909; 15–CV–2910; 15–CV–2928; 15–CV–4579) shall appear at the December 7, 2015 hearing on plaintiff's motion. [Copy of Scheduling Order dated 11/16/2015 attached.] (Barrett, C) (Entered: 11/18/2015)
11/23/2015	<u>45</u>	RESPONSE in Opposition re <u>39</u> MOTION to Amend/Correct/Supplement <i>and to Lift the Court's October 9, 2015 Order Staying Cases and Referring Issues to the Federal Trade Commission (filed in case no. 11cv1142)</i> filed by Costco Wholesale Corporation. (Attachments: # <u>1</u> Exhibit A: FTC Decision and Order) (Bergin, James) (Entered: 11/23/2015)
11/23/2015	<u>46</u>	RESPONSE to Motion re <u>39</u> MOTION to Amend/Correct/Supplement <i>and to Lift the Court's October 9, 2015 Order Staying Cases and Referring Issues to the Federal Trade Commission</i> filed by Kimberly–Clark Corporation. (Joyce, Eamon) (Entered: 11/23/2015)
11/23/2015	<u>47</u>	AFFIDAVIT in Support re <u>46</u> Response to Motion, by Kimberly–Clark Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F) (Joyce, Eamon) (Entered: 11/23/2015)
12/07/2015	<u>48</u>	CERTIFICATE OF SERVICE re <u>34</u> Order Staying Cases. An electronic copy of the complete public record in cases 14–cv–1142, 15–cv–2909, 15–cv–2910, 15–cv–2928, and 15–cv–4579 sent to the Honorable Donald S. Clark, Secretary of the Commission at The Federal Trade Commission, was delivered on 11/2/2015. (Barrett, C) (Entered: 12/07/2015)
12/10/2015	<u>49</u>	NOTICE: Judge Weinstein's Memorandum and Order dated 12/8/2015 has been filed in <i>Kurtz v. Kimberly–Clark Corporation et al.</i> , 14–cv–1142, ECF No. 216. The motion to lift the court's October 9, 2015 order staying cases and referring issues to the FTC is denied. To the extent that any party believed settlement activity was stayed, the stay is lifted. [Copy of Memorandum and Order dated 12/8/2015 attached.] (Barrett, C) (Entered: 12/10/2015)
12/21/2015	<u>50</u>	

		ORDER amending the court's <u>7</u> Order of May 28, 2015. The order is amended as follows: Any motions or communications filed by the parties in any of the actions captioned herein shall be filed on ECF as "Notice(Other)" in each of the other actions. The Clerk of the Court is directed to modify in accordance with this order the parties' ECF entries relating to plaintiff's Motion to Amend/Correct/Supplement and to Lift the Court's October 9, 2015 Order Staying Cases and Referring Issues to the Federal Trade Commission filed in the case of <i>Kurtz v. Kimberly-Clark</i> , 14-CV-1142. Ordered by Judge Jack B. Weinstein on 12/15/2015. (Barrett, C) (Entered: 12/21/2015)
12/21/2015	<u>I</u>	Motion terminated, docketed incorrectly: <u>39</u> MOTION to Amend/Correct/Supplement <i>and to Lift the Court's October 9, 2015 Order Staying Cases and Referring Issues to the Federal Trade Commission</i> filed by D. Joseph Kurtz. <i>See</i> ECF No. <u>50</u> . (Barrett, C) (Entered: 12/21/2015)
12/22/2015	<u>I 51</u>	NOTICE by Anthony Belfiore <i>Letter to Magistrate Levy regarding protective order</i> (Levy, Lester) (Entered: 12/22/2015)
02/05/2016	<u>I 52</u>	ORDER amending the court's <u>50</u> Order of December 15, 2015. The order is amended to include the matter of <i>Richard v. Wal-Mart Stores Inc. et al.</i> , 15-CV-4579. As stated in the order of December 15, 2015, any motions or communications filed by the parties in any of the actions captioned herein shall be filed on ECF as "Notice(Other)" in each of the other actions. Ordered by Judge Jack B. Weinstein on 2/1/2016. (Barrett, C) (Entered: 02/05/2016)
06/02/2016	<u>I 53</u>	ORDER. The recently issued opinion and order in the case of <i>City of Perry, Iowa v. Procter & Gamble Co., et al.</i> , --- F. Supp. 3d ---, 2016 WL 2939511 (S.D.N.Y. May 19, 2016), attached herein, shall be filed and docketed in all of the cases listed in the caption of this order. Ordered by Judge Jack B. Weinstein on 6/1/2016. (Barrett, C) (Entered: 06/03/2016)
06/28/2016	<u>I 54</u>	MEMORANDUM & ORDER. The cases captioned herein may be particularly appropriate for aggregate agency resolution. The parties are encouraged to explore the opportunity for aggregate adjudication of their claims before the FTC pursuant to the new federal recommendation by the Administrative Conference of the United States. Ordered by Judge Jack B. Weinstein on 6/28/2016. (Attachments: # <u>1</u> Aggregation of Similar Claims in Agency Adjudication, 81 Fed. Reg. 119, 40259-61 (June 21, 2016), # <u>2</u> Michael SantAmbrogio & Adam Zimmerman, Inside the Agency Class Action (June 15, 2016)) (Barrett, C) (Entered: 06/28/2016)
06/28/2016	<u>I 55</u>	NOTICE by The Procter & Gamble Company <i>Re Filing of Letter Motion to Withdraw as Attorney in Belfiore Action</i> (Schau, Andrew) (Entered: 06/28/2016)
07/15/2016	<u>I 56</u>	Letter <i>Notifying Court in Kurtz that the FTC Concluded Its Investigation of the Kimberly-Clark Corporation</i> by Kimberly-Clark Corporation (Attachments: # <u>1</u> FTC Closing Letter) (Joyce, Eamon) (Entered: 07/15/2016)
07/21/2016	<u>I 57</u>	NOTICE: Judge Weinstein's 7/20/2016 Order re <u>56</u> Letter has been filed in <i>Kurtz v. Kimberly-Clark Corporation et al.</i> , 14-cv-1142, ECF No. 229 . No request for action is before the court. [Copy of Order attached.] (Barrett, C) (Entered: 07/21/2016)
07/22/2016	<u>I 58</u>	NOTICE by The Procter & Gamble Company <i>Letter Motion to Withdraw as Attorney</i> (Sochynsky, Michael) (Entered: 07/22/2016)
08/03/2016	<u>I 59</u>	Letter <i>Request for a Status Conference</i> by Anthony Belfiore (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Levy, Lester) (Entered: 08/03/2016)
08/04/2016	<u>I 60</u>	NOTICE by The Procter & Gamble Company <i>Response to Plaintiff's Letter of August 3, 2016</i> (Henn, Emily) (Entered: 08/04/2016)
08/09/2016	<u>I 61</u>	SCHEDULING ORDER. A status conference in <i>Belfiore v. Procter & Gamble Co.</i> , 14-CV-4090, as well as all related cases pending before this court, shall be held on 9/21/2016 at 1:00 p.m. in

		Courtroom IOB South. The parties in all cases shall submit briefs on further administration of the litigation. The magistrate judge is respectfully requested to assist the parties in settling the case along the lines suggested by the orders of the Federal Trade Commission. Ordered by Judge Jack B. Weinstein on 8/8/2016. (Barrett, C) (Entered: 08/09/2016)
08/15/2016	<u>¶ 62</u>	NOTICE by The Procter & Gamble Company of <i>Letter Motion Filed in Belfiore Action at ECF Document Number 189</i> (Henn, Emily) (Entered: 08/15/2016)
08/16/2016	<u>¶ 63</u>	SCHEDULING ORDER. The status conference of 9/21/2016 is rescheduled to 9/26/2016 at 4:30 p.m. Ordered by Judge Jack B. Weinstein on 8/16/2016. (Barrett, C) (Entered: 08/17/2016)
08/26/2016	<u>¶ 64</u>	ORDER LIFTING STAY in light of the status conference scheduled for 9/26/2016 at 4:30 p.m. The stay is not lifted for purposes of additional discovery. In advance of the status conference, the parties shall submit briefs with proposed next steps in the litigation. Any motions shall be made returnable on the day of the status conference. The parties shall agree on a briefing schedule. If they cannot agree, the magistrate judge is respectfully requested to set one. Ordered by Judge Jack B. Weinstein on 8/25/2016. (Barrett, C) (Entered: 08/26/2016)
08/31/2016	<u>¶ 65</u>	NOTICE by The Procter & Gamble Company <i>Regarding Letter Filed in Belfiore Action at ECF Document Number 192</i> (Henn, Emily) (Entered: 08/31/2016)
09/09/2016	<u>¶ 66</u>	<i>Letter from Mark S. Reich to The Honorable Jack B. Weinstein Regarding Briefing Schedule in Advance of the September 26, 2016 Status Conference</i> by Desmond R. Armstrong (Reich, Mark) (Entered: 09/09/2016)
09/09/2016	<u>¶ 67</u>	NOTICE by Wal-Mart Stores, Inc. <i>re Letter filed in Richard action, Doc# 59, 15 cv 4579</i> (Selling, David) (Entered: 09/09/2016)
09/19/2016	<u>¶ 68</u>	NOTICE by The Procter & Gamble Company of <i>Filing of its Response to the Court's Request for Briefing on Further Administration of the Litigation Filed in Belfiore Action at ECF No. 197</i> (Attachments: # <u>1</u> Certificate of Service) (Henn, Emily) (Entered: 09/19/2016)
09/19/2016	<u>¶ 69</u>	NOTICE by The Procter & Gamble Company of <i>Filing of Notice of Change of Address in Belfiore Action at ECF No. 196</i> (Attachments: # <u>1</u> Certificate of Service) (Dean, Claire) (Entered: 09/19/2016)
09/19/2016	<u>¶ 70</u>	NOTICE by D. Joseph Kurtz <i>re ¶ 64 Order Lifting Stay,, Brief in Response to the Court's August 9, 2016 Scheduling Order</i> (Reich, Mark) (Entered: 09/19/2016)
09/19/2016	<u>¶ 71</u>	NOTICE by Anthony Belfiore <i>Response to Court's August 9, 2016 Scheduling Order</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (Levy, Lester) (Entered: 09/19/2016)
09/19/2016	<u>¶ 72</u>	NOTICE by Kimberly-Clark Corporation of <i>Brief Regarding Further Administration of the Litigation Filed in Kurtz (Dkt. No. 244)</i> (Joyce, Eamon) (Entered: 09/19/2016)
09/19/2016	<u>¶ 73</u>	NOTICE by Costco Wholesale Corporation ; <i>Brief Regarding Case Administration filed in Kurtz v. Kimberly-Clark Corp., et al.</i> (Bergin, James) (Entered: 09/19/2016)
09/20/2016	<u>¶ 74</u>	NOTICE by Wal-Mart Stores, Inc. of <i>Brief Regarding Further Administration of the Litigation Filed in Richard (Dkt. No. 60)</i> (Selling, David) (Entered: 09/20/2016)
09/23/2016	<u>¶ 75</u>	<i>Letter Informing the Court of Decision in Meta v. Target Corp., et al. (filed in Kurtz v. Kimberly-Clark Corp., et al.)</i> by Costco Wholesale Corporation (Attachments: # <u>1</u> Exhibit A: Decision in Meta v. Target Corp., et al.) (Bergin, James) (Entered: 09/23/2016)
09/26/2016	<u>¶ 76</u>	Minute Entry for proceedings held before Judge Jack B. Weinstein: Status Conference held on 9/26/2016. Counsel for all parties present. Additional briefs to be filed w/in 30 days. (Court Reporter J. Edwards.) (Barrett, C) (Entered: 09/30/2016)

10/11/2016	<u>77</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 09/26/16, before Judge Jack B. Weinstein. Court Reporter/Transcriber Joshua B. Edwards. Email address: joshuabedwards1980@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. File redaction request using event "Redaction Request – Transcript" located under "Other Filings – Other Documents". Redaction Request due 11/1/2016. Redacted Transcript Deadline set for 11/11/2016. Release of Transcript Restriction set for 1/9/2017. (Edwards, Joshua) (Entered: 10/11/2016)
10/11/2016	<u>78</u>	Corrected Courtesy Copy of <u>77</u> Transcript. (Barrett, C) (Entered: 10/11/2016)
10/11/2016	<u>79</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 09/26/16, before Judge Jack B. Weinstein. Court Reporter/Transcriber Joshua B. Edwards. Email address: joshuabedwards1980@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. File redaction request using event "Redaction Request – Transcript" located under "Other Filings – Other Documents". Redaction Request due 11/1/2016. Redacted Transcript Deadline set for 11/11/2016. Release of Transcript Restriction set for 1/9/2017. (Edwards, Joshua) (Entered: 10/11/2016)
10/13/2016	<u>80</u>	SCHEDULING ORDER. The district judge and the magistrate judge shall meet with all attorneys on 11/23/2016 at 12:00 p.m. in Courtroom 10B South to discuss procedures that might increase the possibility of a comprehensive resolution of the litigation in this court or globally. The stay of discovery issued when this court suggested action by the FTC remains in effect. The stay is lifted to permit discussion in connection with actions to be taken by this court following the 9/26/2016 and the 11/23/2016 conferences. By 11/14/2016, the parties shall notify the court of any similar cases they are aware of involving flushable wipes' efficacy and dangers pending in any court or administrative agency, whether consumer or municipality oriented, in the United States or abroad. The additional briefing and motion schedules discussed at the 9/26/2016 conference shall be held in abeyance pending the 11/23/2016 conference now ordered. Ordered by Judge Jack B. Weinstein on 10/13/2016. (Barrett, C) (Entered: 10/13/2016)
10/26/2016	<u>81</u>	REVISED SCHEDULING ORDER resetting the 11/23/2016 conference for 11/16/2016 at 4:00 p.m. in Courtroom IOB South. Ordered by Judge Jack B. Weinstein on 10/25/2016. (Barrett, C) (Entered: 10/26/2016)
11/07/2016	<u>82</u>	NOTICE by Kimberly–Clark Corporation <i>Filing of Letter in Response to the Court's Scheduling Order of October 13, 2016 in Kurtz</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (Joyce, Eamon) (Entered: 11/07/2016)
11/10/2016	<u>83</u>	SCHEDULING ORDER. A critical conference on settlement was previously scheduled for 11/16/2016. This conference is rescheduled for 12/7/2016 at 1:00 pm in Courtroom 10B South. Ordered by Judge Jack B. Weinstein on 11/10/2016. (Barrett, C) (Entered: 11/10/2016)
11/14/2016	<u>84</u>	Letter <i>Regarding Similar Flushable Wipes Cases</i> by Costco Wholesale Corporation, Nice–Pak Products, Inc. (Bergin, James) (Entered: 11/14/2016)
11/14/2016	<u>85</u>	NOTICE by The Procter & Gamble Company <i>of Filing of Letter in Response to the Court's Scheduling Order of October 13, 2016 Filed in Belfiore Action At ECF Docket No. 215</i> (Attachments: # <u>1</u> Exhibit A) (Henn, Emily) (Entered: 11/14/2016)
11/18/2016	<u>86</u>	MEMORANDUM by Judge Jack B. Weinstein in preparation for the upcoming conference on the disposition of cases captioned herein, dated 11/18/2016. (Attachments: # <u>1</u> Hurricane Sandy Mediation Settlement Award, # <u>2</u> The Globalization of Entrepreneurial Litigation, # <u>3</u> Bills of Peace with Multiple Parties) (Barrett, C) (Entered: 11/18/2016)
11/18/2016	<u>87</u>	

		NOTICE by D. Joseph Kurtz <i>Letter from Mark S. Reich in response to Kimberly–Clark's and Costco's letter submissions in response to the scheduling order</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Reich, Mark) (Entered: 11/18/2016)
12/07/2016	<u>88</u>	Minute Entry for proceedings held before Judge Jack B. Weinstein and MJ Levy. Status Conference held on 12/7/2016. Order to be submitted by the court. (Court Reporter Tony Mancuso.) (Ramesar, Thameera) (Entered: 12/12/2016)
12/12/2016	<u>89</u>	SCHEDULING ORDER: Following a conference (see Hr'g Tr., Dec. 7, 2016), motions to terminate or transfer the instant cases will be heard. The schedule for making and hearing any motion is as follows: <i>Kurtz, Armstrong, Palmer, and Honigman</i> on 2/2/2017 at 11:00 am in Courtroom 10B South. <i>Belfiore</i> on 2/3/2017 at 10:30 am in Courtroom 10B South. <i>Richard</i> on 2/3/2017 at 2:00 pm in Courtroom 10B South. The briefing schedule agreed upon by the parties is: Defendants' briefs and supporting papers shall be filed by 12/30/2016. Plaintiffs' briefs shall be filed by 1/13/2017. Defendants' responses shall be filed by 1/20/2017. Ordered by Judge Jack B. Weinstein on 12/12/2016. (Barrett, C) (Entered: 12/12/2016)
12/30/2016	<u>90</u>	NOTICE by Eugene and Victoria Richard <i>of Letter from Mark S. Reich regarding briefing for Wal–Mart and Rockline's Motion to Dismiss or Transfer Venue</i> (Reich, Mark) (Entered: 12/30/2016)
12/30/2016	<u>91</u>	Letter MOTION to Seal (<i>on Consent</i>) by Costco Wholesale Corporation. (Bergin, James) (Entered: 12/30/2016)
12/30/2016	<u>92</u>	NOTICE by The Procter & Gamble Company <i>of Filing of Motion to Dismiss, to Deny Class Certification, or In the Alternative for Summary Judgment and Motion for Leave to E–File Under Seal in Case 14–cv–4090</i> (Henn, Emily) (Entered: 12/30/2016)
12/30/2016	<u>93</u>	NOTICE by Kimberly–Clark Corporation <i>of Filing of Motion to Deny Class Certification in Kurtz v. Kimberly–Clark Corp., et al.</i> (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration) (Joyce, Eamon) (Entered: 12/30/2016)
12/30/2016	<u>94</u>	MOTION to Strike (<i>Deny</i>) <i>Class Certification, and Motion to Thereafter Dismiss All Claims for Injunctive Relief and to Stay Claims for Damages Pending Interlocutory Appeals</i> by Costco Wholesale Corporation. (Bergin, James) (Entered: 12/30/2016)
12/30/2016	<u>95</u>	Letter MOTION for Leave to Electronically File Document under Seal by Costco Wholesale Corporation. (Attachments: # <u>1</u> Defendant Costco Wholesale Corporation's Response to the Court's Request for Dispositive Motion Practice and Supplemental Brief in Support of Its Request that the Court Deny Class Certification, Dismiss All Claims for Injunctive Relief, and Stay Claims for Damages Pending Interlocutory Appeals Pursuant to Fed. R. Civ. P. 23(F)) (Bergin, James) (Entered: 12/30/2016)
01/14/2017	<u>96</u>	RESPONSE in Opposition re <u>94</u> MOTION to Strike (<i>Deny</i>) <i>Class Certification, and Motion to Thereafter Dismiss All Claims for Injunctive Relief and to Stay Claims for Damages Pending Interlocutory Appeals</i> filed by Desmond R. Armstrong. (Attachments: # <u>1</u> Memorandum in Opposition to Costco's Dec. 30, 2016 brief) (Reich, Mark) (Entered: 01/14/2017)
01/14/2017	<u>97</u>	AFFIDAVIT/DECLARATION in Opposition re <u>94</u> MOTION to Strike (<i>Deny</i>) <i>Class Certification, and Motion to Thereafter Dismiss All Claims for Injunctive Relief and to Stay Claims for Damages Pending Interlocutory Appeals Declaration of Robert Villee</i> filed by Desmond R. Armstrong. (Reich, Mark) (Entered: 01/14/2017)
01/18/2017	<u>98</u>	NOTICE by Eugene and Victoria Richard <i>of Stipulation and Notice of Dismissal of Action with Prejudice in the Richard v. Wal–Mart Stores and Rockline Industries action</i> (Reich, Mark) (Entered: 01/18/2017)

01/18/2017	<u>199</u>	NOTICE by Anthony Belfiore <i>of Filing in Belfiore v. the Procter & Gamble, Co. (Case No. 2:14-cv-4090)</i> (Insley-Pruitt, Matthew) (Entered: 01/18/2017)
01/20/2017	<u>100</u>	SCHEDULING ORDER. The hearing in the <i>Kurtz, Armstrong, Palmer, and Honigman</i> actions previously scheduled for 2/2/2017 at 11:00 am in Courtroom IOB South, is moved to 2/2/2017 at 10:30 am in Courtroom IOB South. The hearing in the <i>Belfiore</i> action will be held at the previously scheduled time of 2/3/2017 at 10:30 am in Courtroom IOB South. The hearing in the <i>Richard</i> action, previously scheduled for 2/3/2017 at 2:00 pm in Courtroom IOB South, is cancelled due to the parties' stipulation of dismissal with prejudice. Ordered by Judge Jack B. Weinstein on 1/19/2017. (Barrett, C) (Entered: 01/20/2017)
01/20/2017	<u>101</u>	NOTICE by Kimberly-Clark Corporation <i>of Filing of Reply Brief and Supporting Declarations in Kurtz (14-cv-01142) and Honigman (15-cv-2910)</i> (Attachments: # <u>1</u> Declaration of Eamon P. Joyce, # <u>2</u> Exhibit A, # <u>3</u> Declaration of David Powling, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Exhibit F) (Joyce, Eamon) (Entered: 01/20/2017)
01/20/2017	<u>102</u>	REPLY in Support re <u>94</u> MOTION to Strike (<i>Deny</i>) <i>Class Certification, and Motion to Thereafter Dismiss All Claims for Injunctive Relief and to Stay Claims for Damages Pending Interlocutory Appeals Defendant Costco Wholesale Corporations Reply Regarding the Courts Request for Dispositive Motion Practice and Supplemental Reply in Support of its Request that the Court Deny Class Certification, Dismiss all Claims for Injunctive Relief, and Stay Claims for Damages Pending Interlocutory Appeals</i> filed by Costco Wholesale Corporation. (Bergin, James) (Entered: 01/20/2017)
01/25/2017	<u>103</u>	NOTICE by The Procter & Gamble Company <i>of Filing of Its Reply In Support of Motion to Dismiss, to Deny Class Certification, or In the Alternative for Summary Judgment and Motion for Leave to E-File Under Seal in Case 14-cv-4090</i> (Henn, Emily) (Entered: 01/25/2017)
02/06/2017	<u>104</u>	NOTICE by D. Joseph Kurtz <i>of letter filed in Kurtz v. Kimberly-Clark Corp. action defining the classes plaintiff seeks to certify</i> (Reich, Mark) (Entered: 02/06/2017)
02/06/2017	<u>105</u>	Letter <i>regarding package of current version of Costco's Kirkland Signature Moist Flushable Wipes</i> by Costco Wholesale Corporation (Bergin, James) (Entered: 02/06/2017)
02/17/2017	<u>106</u>	ORDER TRANSFERRING CASE to the District of Oregon. This order shall take effect on March 5, 2017. No later than February 24, 2017, the parties shall file any objection. Ordered by Judge Jack B. Weinstein on 2/17/2017. (Barrett, C) (Entered: 02/17/2017)
02/17/2017	<u>107</u>	NOTICE by The Procter & Gamble Company <i>of Filing in Belfiore Action at ECF Document No. 244</i> (Henn, Emily) (Entered: 02/17/2017)
02/17/2017	<u>108</u>	NOTICE by Costco Wholesale Corporation <i>of Filing in Kurtz Action at ECF Document No. 286</i> (Bergin, James) (Entered: 02/17/2017)
02/17/2017	<u>109</u>	NOTICE by Kimberly-Clark Corporation <i>of Filing of Objections Regarding Tentative Class Certification Ruling During February 2-3, 2017 Hearings in Kurtz v. Kimberly-Clark Corp., et al., No. 14-cv-1142</i> (Attachments: # <u>1</u> Declaration of Eamon P. Joyce, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F) (Joyce, Eamon) (Entered: 02/17/2017)
02/24/2017	<u>110</u>	Letter <i>Objecting to Transfer of Case to the District of Oregon (pursuant to ECF No. 106)</i> by Costco Wholesale Corporation, Nice-Pak Products, Inc. (Bergin, James) (Entered: 02/24/2017)
02/24/2017	<u>111</u>	NOTICE by D. Joseph Kurtz <i>of filing of Motion to Strike Evidence Submitted by Kimberly-Clark in Its February 17, 2017 Submission in Kurtz v. Kimberly-Clark Corporation (Case No. 14cv1142)</i> (Reich, Mark) (Entered: 02/24/2017)
02/24/2017	<u>112</u>	

		NOTICE by D. Joseph Kurtz <i>of filing of Memorandum in Support of Motion to Strike Evidence Submitted by Kimberly–Clark in Its February 17, 2017 Submission in Kurtz v. Kimberly–Clark Corporation (Case No. 14cv1142)</i> (Reich, Mark) (Entered: 02/24/2017)
02/28/2017	<u>113</u>	ORDER endorsed on <u>110</u> Letter Objecting to Transfer of Case to the District of Oregon filed by Costco Wholesale Corporation, Nice–Pak Products, Inc.: Deferral Denied. Ordered by Judge Jack B. Weinstein on 2/27/2017. (Barrett, C) (Entered: 02/28/2017)
03/10/2017	<u>114</u>	ORDER re <u>106</u> Order Transferring Case. The February 17, 2017 order transferring the case to the District of Oregon shall take effect, and the case will be transferred to the District of Oregon, on April 10, 2017. Ordered by Judge Jack B. Weinstein on 3/10/2017. (Barrett, C) (Entered: 03/10/2017)
03/27/2017	<u>115</u>	MEMORANDUM & ORDER CERTIFYING CLASS ACTIONS, granting in part the motions for a New York State class certification in <i>Kurtz</i> and <i>Belfiore</i> . This memorandum and order does not become effective until April 10, 2017. Ordered by Judge Jack B. Weinstein on 3/27/2017. (Barrett, C) (Entered: 03/27/2017)
04/10/2017	<u>116</u>	Case transferred to the District of Oregon. Original file, copy of transfer order, and docket sheet sent. ALL FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE. (Barrett, C) (Entered: 04/10/2017)